

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SAINT XAVIER UNIVERSITY  
Employer

and

Case 13-RC-22025

ST. XAVIER UNIVERSITY ADJUNCT  
FACULTY ORGANIZATION, IEA-NEA  
Petitioner

ORDER

On July 13, 2011 the Board granted Employer's Request for Review of the Regional Director's Decision and Direction of Election.<sup>1</sup>

On December 16, 2014, the Board issued its decision in *Pacific Lutheran University*, 361 NLRB No. 157 (2014), which specifically addressed the standard the Board will apply for determining, in accordance with *NLRB v. Catholic Bishop of Chicago*, 440 U.S. 490 (1979), when we should decline to exercise jurisdiction over faculty members at self-identified religious colleges and universities. Accordingly, the Board remands this proceeding to the Regional Director for further appropriate action consistent with *Pacific Lutheran University*, including reopening the record, if necessary.<sup>2</sup>

MARK GASTON PEARCE, CHAIRMAN

PHILIP A MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., February 3, 2015

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<sup>1</sup> The only issue on which review was sought and granted was whether the Regional Director properly asserted jurisdiction over the Employer under *NLRB v. Catholic Bishop*.

<sup>2</sup> Members Miscimarra and Johnson adhere to their dissenting views in *Pacific Lutheran University*. Nevertheless, they agree with their colleagues that a remand is appropriate.